

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

EPSTEIN FAMILY TRUST UWO DIANA
EPSTEIN,

ESTATE OF DAVID EPSTEIN,

ROBERT L. EPSTEIN, individually, as co-trustee
of the Epstein Family Trust UWO Diana Epstein,
and as personal representative of the Estate of
David Epstein,

MARTIN B. EPSTEIN, individually, as co-trustee
of the Epstein Family Trust UWO Diana Epstein,
as personal representative of the Estate of David
Epstein, and as co-trustee of the Martin B. Epstein
Trust UWO David Epstein,

SUSAN I. JACOBS, individually, as co-trustee of
the Epstein Family Trust UWO Diana Epstein, and
as personal representative of the Estate of David
Epstein,

Adv. Pro. No. 10-05396 (SMB)

MARTIN B. EPSTEIN TRUST,
ANDREW JACOBS,
JORDAN JACOBS,
JASON EPSTEIN,
STACEY BLECHMAN,
KENNETH EPSTEIN,
MEREDITH SELEKMAN, and
NEAL COMER, as co-trustee of the Martin B.
Epstein Trust UWO David Epstein,
Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants Epstein Family Trust UWO Diana Epstein, Estate of David Epstein, Robert L. Epstein, individually, as co-trustee of the Epstein Family Trust UWO Diana Epstein, and as personal representative of the Estate of David Epstein, Martin B. Epstein, individually, as co-trustee of the Epstein Family Trust UWO Diana Epstein, as personal representative of the Estate of David Epstein, and as co-trustee of the Martin B. Epstein Trust UWO David Epstein, Susan I. Jacobs, individually, as co-trustee of the Epstein Family Trust UWO Diana Epstein, and as personal representative of the Estate of David Epstein, Martin B. Epstein Trust, Andrew Jacobs, Jordan Jacobs, Jason Epstein, Stacey Blechman, Kenneth Epstein, Meredith Selekman, and Neal Comer, as co-trustee of the Martin B. Epstein

Trust UWO David Epstein, (collectively, the “Defendants”), by and through their counsel (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 9, 2010, the Trustee filed and served the Complaint against Defendants, which sought the avoidance of transfers from BLMIS to the Defendants made within six years prior to December 11, 2008.

2. On September 27, 2011, the Trustee filed and served the Amended Complaint against Defendants.

3. On April 28, 2014, Defendants served an answer on the Trustee.

4. On July 31, 2015, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [No. 08-01789, ECF No. 3181].

5. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

7. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: October 23, 2015

BAKER & HOSTETLER LLP

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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

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Attorneys for Defendants

SO ORDERED

Dated: October 23rd, 2015
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE